

WEEKLY HIGHLIGHTS

06/10/20

MAJOR MILESTONES REPORT – 6/10/20

Likely in June

- **Non-Responsive - Caribbean Environmental Protection Division**

(CEPD/MCPB) – Jose Rivera)

- Submission of State and Tribal participant names for the Regional ORD Community of Science Networking Program (ROCS-Net) to the Office of Science Advisor, Policy and Engagement (LSASD – Mindy Pensak).
- Prasinos (name of firm) underground injection control draft permit public notice. Oxford, NY. (WD - Stephanie Montrallos)

- **Non-Responsive - Air and Radiation Division**

(ARD- Ken Fradkin)

- Approve NJDEP's adoption of amendments to the Surface Water Quality Standards (SWQS), N.J.A.C. 7:9B, that: upgrade the antidegradation designation of approximately 600 river miles to Category One (C1); update stream reclassifications based on trout sampling data; and modify the definition of "exceptional ecological significance." (WD - Brent Gaylord)

Likely in July or thereafter

- **Non-Responsive - Air and Radiation Division**

(ARD - Linda Longo)

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Non-Responsive - Air and Radiation Division

(ARD – Omar Hammad)

Non-Responsive - Air and Radiation Division

(ARD – Kirk Wieber)

Non-Responsive - Air and Radiation Division

(ARD – Ysabel Banon)

- Issue Proposed Plan for Rolling Knolls OU1
(SEMD – Supinderjit Kaur)

- Issue Proposed Plan for Onondaga Lake IFG
(SEMD – Patricia Pierre)

- Issue Proposed Plan for Newtown Creek OU2
(SEMD – Caroline Kwan, Mark Schmidt, Anne Rosenblatt)

- Issue Proposed Plan for Unimatic OU2
(SEMD – Trevor Anderson)

- Issue Proposed Plan for Diamond Alkali OU4
(SEMD – Diane Salkie)

- Issue Proposed Plan for Imperial Oil (ROD Amendment)
(SEMD – Farnaz Saghafi)

- Issue Proposed Plan for Cinnaminson OU4
(SEMD – Alida Karas)

- Issue Record of Decision for Ringwood Mines
(SEMD – Joe Gowers)

- Issue Proposed Plan for Onondaga Lake (General Motors-Inland Fisher Guide)
(SEMD – Patricia Pierre)

- Issue Record of Decision for Sherwin Williams/Hilliards Creek OU2
(SEMD – Ray Klimcsak)

- Following the public comment period and agency reviews, the Barnegat Bay Partnership's revised estuary Comprehensive Conservation & Management Plan (CCMP) will be final.

(WD, Barbara Spinweber)

- Release of the five-year Lake Ontario Lakewide Action and Management Plan. (WD, K. Heineman & A. Sexton-Sims).

Non-Responsive - Land, Chemicals and Redevelopment Division

(LCRD – Ben Conetta)

- Following public comment and agency reviews, the Peconic Bay Estuary Program's Comprehensive Conservation & Management Plan (CCMP) will be final.

(WD A. Boucher, A. Sexton-Sims)

Submission of Regional Applied Research Effort (RARE) proposals to the Office of Science Advisor, Policy and Engagement (LSASD – Mindy Pensak).

AIR AND RADIATION DIVISION

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION

Past Week:

New Pesticide Establishment: A new EPA establishment number was issued this week to Greenlight Biosciences Inc. ECAD staff reached out to the company to inquire about the nature of the business and were told that the company is “a startup developing RNA-based solution for Agriculture and human health.” ECAD staff provided the new EPA compliance advisory for products claiming to kill the Coronavirus.

Reactivation of EPA Establishment Number: On May 28, 2020, ECAD staff received an inquiry about reactivating EPA establishment numbers for two facilities that are operated by UltraLab Laboratories in Highland and New Paltz, NY. ECAD asked about the nature of the business and were told that UltraLab Laboratories was approached by a company to package an antimicrobial pesticide “effective against Covid-19 used to clean surfaces.” ECAD staff provided the link to EPA’s List N and advised the company to check if the product appears on this list and provided information on the Emerging Viral Pathogen Claim.

FIFRA Advisory Letter to Matrix Distributors: An Advisory Letter was issued on June 2, 2020 to Matrix Distributors, Inc. of Cranford, NJ for offering for sale unregistered and misbranded pesticides on their website. Website was offering for sale the EcoAirDoctor, a product similar to the Virus Shut Out lanyard. The letter gave seven days to respond with actions taken to come into compliance. Matrix contacted ECAD on June 2, 2020 and June 3, 2020 to explain they will return the EcoAirDoctor back to the manufacture from whom they purchased it from in San Diego, CA.

FIFRA Advisory Letter to Weikang TCM Inc.: An Advisory Letter was issued on May 29, 2020 to Weikang TCM Inc. (Weikang) of Great Neck, NY for offering for sale and distribution of “SD ST Antimicrobial Based Surface Treatment Spray” (SDST Spray) on its website. The SDST Spray was initially discovered on the TesoLife.com website. ECAD issued an Advisory Letter to Teso Life last week. TesoLife provided photos of the SDST label. It appears that Weikang is selling and distributing DTN 100 Antimicrobial, a highly toxic microstatic agent for material preservation registered for commercial and industrial use, as an unregistered and misbranded disinfectant intended for personal use. DTN-100 is an acutely hazardous substance that requires the use of personal protective equipment including goggles or face shield, protective clothing, rubber gloves, and a respirator. The registered DTN-100 master label requires a signal word of “Danger” and states that the product may be fatal if inhaled. Very specific handling and use information is also required to be displayed on the label. The SDST Spray label bears no signal word and contains extremely inadequate information on the safe use of the product.

Exemption 7(a) - Law Enforcement

Updates to FIFRA Advisory Letters issued by R2 last week: Last week, Advisory Letters were sent to Like444.com, TesoLife, EzShop Express, and Scully’s Wonderful Stuff.

Updates:

- **Like444.com** emailed ECAD staff on 5/29/20 asking “Could you please send a product link as a reference to us?” ECAD staff responded by asking for a person of authority over the website to contact ECAD staff immediately via phone to discuss. Like444.com has not yet contacted LPPCS.
- **TesoLife** removed all products of concern from their website and said they will provide a receipt showing return of violative products to their suppliers.
- **EzShop Express** has not yet contacted ECAD.
- **Scully’s Wonderful Stuff** responded to ECAD on 6/3/20 with a letter outlining steps taken to come into compliance including: disposing of violative product labels, removing all surface sanitizing claims from the websites and social media sites, and making a new product label that only designated the “Hand Sanity” product as a hand sanitizer.

EverywhereAire Advisory Letter: On May 29, 2020, EverywhereAire responded to EPA’s May 21, 2020 response to the Advisory Letter to EverywhereAire. EverywhereAire continues to assert that its product, the PlaneAire Travel Mist, meets the FIFRA minimum risk criteria to be exempt from FIFRA Section 3 registration. The PlaneAire website has not been revised following EPA’s May 21, 2020 letter and continues to advertise the product is effective on reducing organisms that pose a threat to human health. Region 2 is working with EPA HQ to purchase the PlaneAire Travel Mist for composition analysis.

FIFRA Notice of Refusal of Admission: On June 1, 2020, ECAD issued a Notice of Refusal of Admission (NORA) to Caolion Cosmetics America of East Brunswick, NJ for importing unregistered disinfectants. Two of the products were chlorine dioxide patches, like the Virus Shut Out product found at JFK Airport, which claim to purify the air around the wearer of viruses. The products also displayed the EPA logo. The products must be exported within 90 days under supervision of U.S. Customs and Border Protection.

Regional Administrator’s Pending Action Items: N/A

Subject	Date Sent to RA’s Office	Required By/Due Date	Comments

Other Items of Interest: N/A

LABORATORY SERVICES AND APPLIED SCIENCE DIVISION

Hot Issues:

Upcoming:

Dayco/LE Carpenter: SST participated in a pre-application meeting with the NJDEP as a developer is planning a re-development project which includes a portion of the Dayco/LE Carpenter Superfund site. The developer was advised that the site is still active and requires additional remediation. The re-development project is adjacent to the Rockaway River and may also be subject to wetland and flood hazard requirements. The developer indicated that the phase of the project that would be located on the site is several years away and is willing to coordinate with EPA. (POC: M. Clemetson)

Citizen Science: The Region 2 Citizen Science Workgroups for Air and Water will be meeting on June 11th and June 15th, respectively. These will be quick touchpoints to share status updates of state and federal citizen science work during the pandemic, best practices for physical distancing in the field, and future plans. (POC: R. Leta-Graham).

Drinking Water Laboratory Certification Program: NELAP Evaluators monthly meeting is scheduled for Wednesday, June 10th. One topic of discussion is how TNI might adapt its NGAB (Non-Governmental Accreditation Body) Evaluation SOP 7-100 to conduct a remote observation to complete the evaluation of the newest NGAB. <https://nelac-institute.org/content/policy.php> (POC – Erwin Smieszek)

AWQAT - Tier II Landfill Gas Sampling – AWQAT assisting ACB by providing technical guidance on how to prepare a Tier II landfill gas collection QAPP. This task also involves review of earlier submittals by the landfill, performance specifications and regulatory requirements. (POC: O. Sohail)

Region 2 Laboratory:

At this time, laboratory operations have been suspended except for emergency analysis. Completed surveys have been reported that were in-house as of 03/27/2020. (POC: J. Bourbon)

HWSB-SST Superfund Sampling Projects – Currently Suspended:

Pioneer Metal Finishing groundwater sampling, NJ	TBD
Pierson's Creek groundwater sampling, Kearny,	TBD
Zschiegner groundwater sampling, Howell, NJ	TBD
Waldick Aerospace groundwater sampling, Wall, NJ	TBD
Imperial Oil groundwater sampling, Morganville, NJ	TBD
Smithtown groundwater sampling, Smithtown, NY	TBD
Syncon Resins groundwater sampling, Kearny, NJ	TBD
Vineland Chemical surface water/sediment sampling, Vineland, NJ	TBD

Robintech-Passive bag deployment, Vestal, NY	TBD
Olean/Loohn's Dry Cleaners groundwater sampling, Olean, NY	TBD
Hopewell Precision water/VI sampling, Hopewell, NY	TBD
Arsenic Mines sampling, Kent, NY	TBD

(POC: A. Jackson)

HWSB-HWSS: Data Validation Projects Scheduled:

Old Roosevelt Field Contaminated GW Area, Garden City, NY

Puchack Well Field, Pennsauken Township, Camden, NJ

South Jersey Clothing Company, Minotola, NJ

(POC: Narendra Kumar)

Past Week:

Cross-Regional Science Council Meeting: The first cross-Regional Science Council (RSC) meeting was held with participants from 9 RSCs discussing the structure, membership, and function of their respective RSCs along with suggestions for cross-collaborative opportunities. (POC: M. Pensak).

Clean Waters Turnover and Replacement: MOS maritime personnel continue to work with the successful bidder of the Clean Waters to conduct an inspection and turnover of the vessel. MOS personnel met with GSA Fleet personnel to discuss a fleet purchase for the Clean Waters replacement. MOS maritime personnel conducted extensive nautical chart plotting training throughout the week. (POC: N. Johansen)

Argos Puerto Rico Corp, MACT Subpart LLL Performance Testing: AWQAT worked with ACB to provide guidance/input to the facility/testing contractor related to planned testing at the facility in mid-2020. This task involved review of earlier submittals by the facility, performance specifications/regulatory requirements and coordinating input from OAQPS. (POC: S. Rao)

Drinking Water Laboratory Certification Program: On June 2nd, the Office of Water and Regional Laboratory Certification Officers had their bi-weekly meeting. OGC is currently reviewing the OGWDW memo which will provide guidance for Drinking Water Laboratory Certification Program (LCO) Oversight responsibilities during the COVID 19 Pandemic. Discussion on how to implement PCB Proficiency Testing

(PT) for all matrices. PCB PT question will be added to the annual OGWDW Drinking Water Questionnaire. (POC – Erwin Smieszek)

RCRA Smart Tools Inspection Process Workgroup: The workgroup met on June 9th to discuss field sampling equipment and protocols that will be added to a new software application being developed by EPA Headquarters for RCRA inspectors. The NPDES Smart Tool has been developed and is being used as a template for the RCRA Smart Tool. As a follow up to the meeting, suggestions and comments are currently being submitted to ECAD-HQ. (POC – Bob Morrell)

Teleconference with New York State Pollution Prevention Institute (NYSP2I) - There was significant dialogue on the goals and outputs of the NYSP2I and their methodologies for Pollution Prevention (P2) and those of the USEPA Region 2 LSASD P2 program. Specific commonalities and differences between the two programs were highlighted and shared. Future teleconferences are planned.

(POC – L. E. Bourodimos)

LSASD-MAB Front Office and MAB-MOS File plans - Updates to the file plans are being planned. These updates will involve items such as: guidance changes (if needed for additions or deletions); new systems: realignment changes; and other changes.

(POC – L. E. Bourodimos)

IC2 Webinar on Best Practices for Safer Cleaning and Disinfecting – The Interstate Chemicals Clearinghouse presented:

- Safer cleaning and disinfecting practices returning to the workplace
- Procurement of safer disinfectants: what to ask suppliers; what to put in a contract; what to look for when purchasing
- Best practices for safer cleaning and disinfecting a space
- After the webinar, dialogue occurred involving attendees sharing resources and communication efforts on best practices for safer cleaning and disinfecting.

(POC – L. E. Bourodimos)

Greywater in Utah: One-hour presentation by duo who've been instrumental in changing Utah's greywater policy, which makes using reclaimed water from our bathroom sinks, showers, and laundry much easier. Discovered what changes have taken place with Utah's state policy, examples of greywater systems in Utah, e.g., tier 1 and tier 2, and how you can install a greywater system in new construction or through retrofitting. (POC: K.Foley)

Region 2 Beach Grants: The 2020 VIDPNR Beach Grant workplan was submitted May 11, EPA sent comments on May 18, however due to significant increases to laboratory analysis cost, the budget needs to be re-worked. DPNR is considering decreasing stations and/or frequency of sampling. A major change to the existing program must be public noticed with a chance to comment. Justification must be presented and approved to change tiers. If a beach is considered high use/ high risk, it is strongly recommended that the beach continues to be sampled weekly. DPNR committed to finalizing contracts for sign fabrication and placement by the end of the FY. Verification for the 2018 and 2019 data is in progress. (POC: H.Grebe)

HWSB-HWSS: Superfund/Brownfield QAPPs & Documents Received:

BF – Former Duofold Facility QAPP, (Re-submission)

BF – Naranjito Community Wide Generic QAPP, (1st revised version)

BF – 5222 Lockport Junction Road QAPP, Cambria, NY, (New)

SF – Raritan Bay Slag Seawall Sector 95% Remedial Design Report

(POC: D. Ringel)

HWSB-HWSS: Superfund/Brownfield QAPPs & Documents Completed:

BF – Country Village Greenway, Jersey City, NJ

SF – Eighteen Mile Creek Supplemental PDI QAPP

(POC: D. Ringel)

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>

Other Items of Interest:

LAND, CHEMICALS AND REDEVELOPMENT DIVISION

Non-Responsive - Land, Chemicals, and Redevelopment Division

Other Items of Special Interest:

MISSION SUPPORT DIVISION

Non-Responsive - Mission Support Division

OFFICE OF REGIONAL COUNSEL

Upcoming Week:

Massena Town Board Hearing on Noise Ordinance

The Massena, NY Town Board is scheduled to have a hearing on June 17, 2020, in which its proposed noise ordinance may be put to a vote.

Exemption 5: Attorney-Client Communication

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/ Due Date</u>	<u>Comments</u>
RA's approval sought on CAA consent decree with Town of Brookhaven	5/19/20	ASAP	
Exemption 5: Attorney-Client Communication, Attorney Work Product, Deliberative Process	5/21/20	ASAP	Exemption 5: Attorney-Client Communication, Attorney Work Product, Deliberative Process
Exemption 5: Attorney-Client Communication, Attorney Work Product	5/22/20	ASAP	
Talking points for conversation with Massena Town Supervisor Steve O'Shaughnessy. Exemption 5: Attorney-Client Communication, Attorney Work Product, Deliberative Process	6/9/20	6/15/20	
Draft response to Mayor of Wharton, NJ, re: Dayco/LE Carpenter Site	5/13/20		
Draft letter to Stella Martin	12/23/19		

PUBLIC AFFAIRS OFFICE

Hot Issues:

ORD Disinfectant Research with MTA:

As early as this week, HQ ORD expects to issue a news release about research efforts to assess whether certain disinfectants are long-lasting and effective against COVID-19 on hard surfaces in transit systems. This is expected to generate press interest, and potentially interest from elected officials.

Brownfields Revolving Loan Fund Grants and Superfund Accomplishments Report:

PAO developed a virtual event to announce Brownfields RLF grants to three communities on June 10. Representatives, including Camden Mayor Moran, as well as reps from Niagara County and NYC are joining the media call.

Superfund Accomplishments – PAO is coordinating with SEMD on a virtual media event to announce the Superfund Accomplishments Report on June 11 at noon.

News Releases:

June 9: [EPA Urges Preparedness as Hurricane Season Begins; Advises on prevention, preparedness, and reporting requirements during Hazardous Weather Events](#)

June 4: [EPA Provides Additional Time for Public Review of Proposed Cleanup Plan to Address Groundwater Contamination at the Ringwood Mines/Landfill Superfund Site in New Jersey](#)

Upcoming News Releases:

- HQ ORD Release on MTA disinfectant research partnership
- Proposed Plan for Unimatic Superfund Site OU2
- Proposed Plan for Riverside Park Superfund Site
- Hormigas Site Deletion

Upcoming Community Meetings:

- Hoosick Falls CPWG meeting June 24
- Onondaga Lake CPWG meeting June 24 (TBC)
- Diamond Alkali/Passaic River CAG meeting, July 9
- Riverside Industrial Virtual Public Meeting-July TBD
- Unimatic Virtual Public Meeting –Summer 2020 TBD

Past Week:

Columbia Smelting

On June 4, members of Councilman Menchaca's staff hosted a Town Hall zoom call with EPA, NYC Parks and several community groups, in response to the groups' complaint of dust migrating via wind currents from Red Hook Park Ball Fields 5-8 (Columbia Smelting & Refining Works Site). Councilmember Menchaca did not attend, but 33 people were on, including District 38, Dan Wiley of Congresswoman Nydia Velazques's staff, Parks Capital, EPA, Pioneer Works cultural center, Red Hook Community Farms, Red Hook Initiative youth empowerment group, Shipparts and Good Shepherd Services. The community is concerned about dust from several sources and that the tarping and lack of air monitoring during the pause and off-hours may be insufficient. Parks answered most questions and SEMD offered availability to discuss and explain air monitoring requirements further. SEMD and PAO staff will be following up with members of the RED hook Initiative to answer any further questions. While Parks indicated the reopening would likely be sometime this summer, Parks will be discussing plans with their contractor to remobilize as early as mid-June. PAO and SEMD will work on a community update to announce when work will resume. (POC: Natalie Loney)

Brick Township Landfill

On June 4th, PAO and SEMD staff participated on a call with a group of 12th graders from John P. Stevens High School about the history and redevelopment of Brick Township Landfill (BTL) Superfund site. The students were researching the site for an AP Environmental Science Project. Specific questions included, "why were the gallons of chemical drums disposed at the site in 1971?" "when would the EPA conduct a maintenance test of the cap and the groundwater?" and "how much electricity does the new solar array produce?" At the end of the meeting, the students requested a copy of the latest BTL inspection report, which was emailed to them along with weblinks to the BTL site's Documents and Data page. On June 8th, EPA was informed the students received an A+ on their project. (POC: Donette Samuel)

Arsenic Mine

The Record of Decision (ROD) for Arsenic Mine is in review. It is expected it will be signed this month. PAO and SEMD have reached out to residents to let them know that the ROD is imminent. The RPM is finishing up the RS so it can be added as an addendum to the ROD. There were approximately 30 comments received. They will be put into similar categories and responded to accordingly. (POC: Pat Seppi)

Asbestos Dump

PAO and SEMD have received inquiries about the Asbestos Dump site and the rezoning of the property. A few residents have expressed concerns about the town's plan to build 140 units near the site and PAO is coordinating with SEMD on responses. This is an NJDEP site and they oversee everything site related. SEMD and PAO have reached out to NJDEP for a contact but have heard nothing so far. The planning board asked for the draft FYR but because it can not yet be shared we sent them the 2015 FYR. The 2020 FYR should be finalized in the coming months. (POC: Pat Seppi)

Upcoming:**Onondaga Lake**

DEC is in the process of scheduling the next Community Participation Working Group meeting for the Onondaga Lake Superfund Site. The meeting is tentatively scheduled for June 24, 2020 and DEC has requested EPA participation to discuss the Five-year review process for the Lake Bottom subsite. New York state is the lead agency for all of the Onondaga Lake subsites, except Lower Ley Creek. Dredging of contaminated lake sediments (Lake Bottom Subsite) began in summer 2012 and was completed in November 2014. Approximately 2.2 million cubic yards of contaminated sediment was removed from the lake bottom and three shoreline areas. The dredging and related capping and habitat restoration work were performed by Honeywell International with oversight by the NYSDEC, the EPA, and the New York State Department of Health. Capping, which included the placement of more than 3 million cubic yards of material consisting primarily of sand, activated carbon, siderite, and stone, was completed in December 2016. Habitat restoration activities, including improving wetlands and planting native plants, shrubs, and trees in shoreline areas, were completed in late 2017.

Kentucky Avenue Wellfield

Koppers Pond is a 9.8- acre area that is part of the Kentucky Avenue Wellfield Superfund site located in the Chemung County, Village of Horseheads, NY. Contractors representing a group of responsible parties will be mobilizing to the site on June 10 to dewater the pond, install a geotextile membrane and a soil/sand cap over the area to create a landfill cap. This activity is anticipated to take 5-6 weeks to complete. PAO and SEMD are working on a community update fact sheet to notify the community and elected officials.(POC Mike Basile)

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>
Call Congressman Kim re: Mr. Slappey	3/16/2020 and 4/20		Talking Points including COVID language provided via email
Kiryas Joel – RA to share letter sent to NYSDEC with Orange County attorney, Langdon Chapman	3/9/2020		Mary shared WD draft
Draft response letter to Mayor Chegwiddden of Wharton, NJ	5/13 and 6/8	ASAP	Sabina resent draft via email on 6/8
Hudson River Road Key Contacts List	6/5		Awaiting RA feedback on who to solicit quotes from
Draft email to Congressman Norcross re: Sherwin Williams/Kirkwood Lake	6/3		Awaiting RA edits to email

Title	Start Time	End Time	City	State	Description	Division	Event Type
Brookhaven CAC Meeting	6/11/2020 0:00	6/11/2020 0:00	Upton	New York	Status update with community members	SEMD	Meeting
Long Island Sound Wetlands Loss Workshop	6/18/2020 0:00	6/18/2020 0:00	Bridgeport	Connecticut	This workshop is postponed due to COVID-19	WD	Symposium
Great Lakes Executive Committee	6/23/2020 0:00	6/24/2020 0:00	Chicago	Illinois	This meeting is now virtual.	WD	Meeting
Gowanus Canal CAG Meeting	6/23/2020 0:00	6/23/2020 0:00	Brooklyn	New York	Virtual monthly CAG meeting	SEMD	Meeting
Saint Gobain Community Working Group Meeting	6/24/2020 0:00	6/24/2020 0:00	Hoosick Falls	New York	Monthly Community Participation Working Group meeting (will likely be virtual).	SEMD	Meeting

SUPERFUND AND EMERGENCY MANAGEMENT DIVISION

Hot Issues:

Hopewell Precision: POET system maintenance occurred this week. All but one home (42 of 43) granted access for the work. EPA, the contractor, and the Town have discussed the timing for performing the paused work on interior residential connections to the new water line. We will be gathering more info about the planned work and will communicate that to the Town when available. The Town will also let

us know of any concerns the community may have. The homeowners who just had their POET maintained, voiced no concerns about our potentially resuming work for the permanent connections to the water line.

Grasse-Noise Ordinance: On 5/19, Arconic submitted written comments to the Town of Massena on the proposed noise ordinance. The proposed ordinance is expected to impact Arconic's ability to perform work after 10 pm. The Board will review the comments that were received and meet with the six businesses, including Arconic, that provided comments, prior to voting on the proposed noise ordinance on 6/17. The RA may want to call the Town Supervisor to discuss the ordinance and project with him; talking points have been provided to the RA. On the evening of 5/26, Arconic received and followed up on a noise complaint from the Town Supervisor. The noise may have originated from the processing plant; the noise standard was not exceeded. The Supervisor texted Arconic field personnel last week (June 3) thanking them for their response to the noise issue and noting that things have been "eerily quiet" and thanked them for the good work.

Sherwin-Williams OU2 Hilliards Creek Former Manufacturing Plant Soil and Sediment: Comments on Draft ROD received from Chloe Metz and have been incorporated and draft was sent to HQ on 6/3/20 and NJDEP on 6/4/20.

Unimatic OU2: The draft PRAP is being revised to address C. Metz comments. EPA will hold FS briefing with NJDEP on 6/11 and provide the draft to them following call pending any revisions based on the call. Draft final RI, HHRA, SLERA and FS have been submitted to EPA and forwarded to NJDEP. EPA is awaiting NJDEP comments on FS.

Cinnaminson OU4: RPM drafting proposed plan. The draft revised FS was sent for internal review and NJDEP review. We have met with NJDEP and have attempted to address their comments in the revised FS/PP. On 6/2, NJDEP sent general comments indicating they want additional investigatory work performed prior to ROD. We strongly disagree with their comments and expressed that at the June 3 Quarterly NJDEP/EPA meeting. A follow up technical meeting with NJDEP is scheduled for 6/15.

Imperial Oil: PRAP being draft and will be sent to HQ/NJDEP shortly (for ROD amendment).

South Jersey Clothing Company/Garden State Cleaners: ERT well installation is on hold. ERT is working on procedures for their employees to return safely to the field. When they are ready, this work will be planned. ORC working on Site Transfer Agreement for NJDEP currently. We also need access from the Borough to install wells on the Right of Way. The agreement was sent to the town on 6/9/20.

Matteo OU1: Mira Trucking Removal action is on hold due to COVID-19. An adjacent property owner has expressed frustration with the pause in field work and contacted State senator Sweeney. He has asked Senator Sweeney to contact Congressman Donald Norcross about this issue. PAO is working on a possible response from RA on the issue. The owner has not made any additional inquiries since the week of 6/1/20. Removal has not yet announced a date when field work will resume.

Upcoming:

Past Week:

Other Items of Special Interest:

Atlantic Fleet Weapons Training Facility: At the request of GAO, we are attempting to obtain videos and pictures of the cleanup work in assist with the GAO audit.

Quanta OU1 (soil): Controlled correspondence received on 6/9/20: Resident email to P. Lopez inquired about EPA's role in the redevelopment of the Quanta OU1 property after NJDEP's Division of Land Use notified the community that an application for a Waterfront Development Individual Permit, Flood Hazard Area Individual Permit, and Flood Hazard Area Verification was submitted and that NJDEP was accepting comments on the permit applications. Draft is being revised by RPM based on Director's verbal comments and will be provided to ORC for input/review on 6/10/20.

Honeywell requested a change in the solidification remedy for portion of River Road. Honeywell cited traffic concerns as the driving force for their recommended remedy change. RPM and section chief attended meeting between Honeywell and County engineers (with whom Honeywell is to coordinate road solidification work with upcoming county road work), and indicated Honeywell is to proceed coordinating solidification work within constraints of traffic control plan to be shared by the county in early July.

Quanta OU2 (Hudson River): Honeywell had significant proposed changes to the alternatives considered for the FS. EPA discussed Honeywell's capping alternatives with NJDEP on 5/29/20. Honeywell's capping alternatives may remain in the FS as well as other capping alternatives. Outstanding issue remains on other alternatives Honeywell has introduced into the FS that EPA is not in agreement. EPA will be commenting on the NJDEP's Division of Land Use application for a Waterfront Development Individual Permit, citing concerns about possible interference with the remedy for OU2. EPA will also request clarification from HW on status and timing of the redevelopment with respect to remedial activities for OU2.

Metaltec Site Transfer: This is scheduled for early July. Currently waiting for NJDEP to reply on draft transfer agreement. At the 6/3 Quarterly Meeting, NJDEP indicated that this was not yet deemed "essential" work after COVID and they may need an extension for transfer beyond July. We will look into the possibility of a September transfer.

South Jersey Clothing Company/Garden State Cleaners Site Transfer: This is scheduled for September. We are working with COE to finalize the equipment list. In addition, ERT will install 2 deep sentry wells, however this field work has been delayed due to COVID 19 and will be rescheduled sometime this summer.

LCP: We have drafted an SSC which will be sent to NJDEP shortly. Task 1 will include buildings. In addition, an ESD has been drafted, NJDEP will not concur at this time. NJDEP has asked us to look into a mercury soil treatment technology. We have agreed to do some evaluation, although it does not seem promising for the site and we are moving ahead with the selected remedy. State concurs on the first phase of field work, which is building demo.

Woodbrook Road Dump:

Exemption 5: Attorney-Client Communication, Attorney Work Product, Deliberative Process

Syncon Resins: EPA has held a series of negotiation meetings starting in Nov 2019 with NJDEP, the mayor of Kearney and the Town's attorney. The purpose of the meetings was to discuss the release of our respective liens and the sale of the site property, which has been abandoned, now that EPA has completed the soil remediation. There has been some delay in completing negotiations as the local official in Kearney are addressing COVID-19 issues in the town. We will reconvene and try to complete negotiations sometime in June, if the Township is agreeable.

Mansfield Trail Dump: A memo has been prepared on the "gross up fee" issue related to the planned public waterline construction at the site. This is currently being reviewed by SEMD Director and ORC (Paul Simon). ORC discussed having NJDEP discuss the BPU Option with NJ BPU and they agreed. The memo will be sent to HQ when completed. We cannot proceed any further with the RD completion target for OU1 until the gross up fee issue is resolved; currently at 95% completion.

Matteo OU2: We have engaged with USACE Baltimore to finish the temporary relocation meetings with the final 2 residents and to have them start assessing the value of the homes. Meetings with residents have been put on hold due to COVID-19. Relocation activities will recommence once deemed appropriate.

Sherwin-Williams OU4 Waterbodies (Kirkwood Lake): Draft Remedy Review memo sent to branch chief for review on 3/24/20. Draft Proposed Plan branch chief and ORC branch chief comments are to be incorporated. Branch chief reviewing responses to comments week of 6/8/20. Draft Eleven sediment management principles memo sent to branch chief for review on 4/20/20. Draft RA fact sheet sent to branch chief for review on 4/22/20.

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>
Dewey Loeffel - Candidate Tech Memo Wrap up Summary to CAG	5/28	6/10/20	
Woodbrook Rd draft email to S. Bodine and P. Wright	-	ASAP	

CC: R2 RA Briefing Book

STRATEGIC PROGRAM OFFICE

HOT ISSUES:

Non-Responsive - Strategic Program Office - Tribal Program

Non-Responsive - Strategic Program Office - Tribal Program

Non-Responsive - Strategic Program Office - Tribal Program

ENVIRONMENTAL REVIEWS

Past Week:

Levine Reservoir Water Storage Improvement Project Memorandum of Agreement (MOA)

The RA signed the final MOA for the Levine Reservoir Water Storage Improvements project on May 8. The NJSHPO's Deputy Historic Preservation Officer and the NJDEP's Assistant Director of Municipal Finance and Construction Element signed the MOA on May 14. The Deputy Regional Director at the National Park Service signed the MOA on May 20. These four signature pages, along with a transmittal letter, were mailed to the City of Paterson, Passaic Valley Water Commission (PVWC), and consulting parties on May 21.

On June 10, Strategic Programs received a letter from PVWC's counsel seeking clarification on a MOA provision. SPO staff are working with ORC to respond to the request. SPO is also coordinating with the City of Paterson. The City's counsel has reviewed the MOA for the Mayor's signature and staff will be meeting to vote on the resolution to move the MOA forward, which is being delayed due to unforeseen and ongoing matters requiring the mayor's attention.

Grasse River/Alcoa Aggregation Superfund Site

On June 9, EPA R2's Environmental Review Team, SPO Director, Regional Indian Coordinator, and Remedial Project Manager participated in a Cultural Resources Assessment briefing conference call on the Grasse River/Alcoa Aggregation Superfund Site with various staff from the NYS DEC, NY State Historic Preservation Office, NYS Office of Parks and Recreation and Historic Preservation, St. Regis Mohawk Tribe Environmental Division. The call also included their Historic Preservation Officer, Arcadis's Archeological team and Arconic's Remediation/Archeological team. The meeting presented the key steps to conduct additional cultural resources Phase 1B shovel tests on a 3.4 acre parcel of land off of Haverstock Road, which is a continuation of the results that came out of the Phase 1A reconnaissance completed

on November 2018. Arconic proposes to use the plot for staging to accept clean material coming in off-site for capping. The cultural resource work is planned to start on June 15, 2020 and a safety briefing will be underway soon.

Allied Textile Printing, Proposed Fence Project

Region 2's Historic Preservation Officer sent a response letter to the NJ State Historic Preservation Office on May 28, which provided additional information to address the outstanding issues associated with the temporary site security project. The letter was also shared with the consulting parties, which is basically the same group of agencies and organizations as the Levine Reservoir Water Storage Improvements project. The City of Paterson must provide documents demonstrating compliance with the NJ Register of Historic Places Act and Project Authorization Application for NJSHPO review and approve before the fence project can proceed. The City of Paterson's Historic Preservation Officer notified us on June 9 that he is currently working on the Application for NJSHPO submittal.

Upcoming:

Supplemental Environmental Assessment Humacao Natural Reserve Saltwater Intrusion Project, Puerto Rico

The project involves various elements to improve saltwater intrusion into a natural freshwater swamp and a local forest. These elements include installation of sheet piling, temporary weirs and riprap placement to prevent erosion. Strategic Programs asked Water Division staff to assist in the review. The Environmental Review Team reviewed and found no issues associated with the project. Because the project includes proposed temporary platforms in the diversion channel and/or working from the streambank, best management practices will be implemented and there are no concerns. Scour hole fills are minimal and should prevent further erosion.

DISASTER RECOVERY AND MITIGATION

Non-Responsive - Strategic Program Office - Disaster Recovery and Mitigation

Non-Responsive - Strategic Program Office - Disaster Recovery
and Mitigation

TRIBAL PROGRAM

Non-Responsive - Strategic Program Office - Tribal Program

INTERNATIONAL

Non-Responsive - Strategic Program Office - International

Non-Responsive - Strategic Program Office - International

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COMMUNITY REVITALIZATION / ENVIRONMENTAL JUSTICE SMART SECTORS / CHILDREN'S ENVIRONMENTAL HEALTH

COMMUNITY REVITALIZATION

Past Week:

Region 2 Lead Action Plan:

The Region 2 Lead Team received the finalized quarterly monitoring template and FAQs on reporting out quarterly accomplishments to the Administrator's Office (AO). The first quarterly report is due to the AO by July 17.

Significant Non-Compliance (Minors)

Strategic Programs, along with ECAD and WD, have developed a draft communications strategy for coordinated outreach to approximately one dozen NPDES non-compliance communities (those considered as minor) to determine a path forward for bringing them into compliance. A briefing for the Regional Administrator is scheduled for June 17th.

ENVIRONMENTAL JUSTICE

Upcoming:

NEJAC

An upcoming meeting with Dave Kluesner, Towana Joseph and members from the NEJAC will be held to follow up on action items developed from the OEJ/NEJAC meeting held in February 2020 in Jacksonville, Florida.

CHILDREN'S ENVIRONMENTAL HEALTH

Past Week:

GAO asked each region to ascertain whether or not their respective region has a requirement for lead testing in drinking water at childcare facilities. Towana Joseph assisted R2's Grants Management Branch in providing the information. GAO's exit conference on the matter was held on June 4.

AGRICULTURE

Non-Responsive - Strategic
Program Office - Agriculture

Non-Responsive - Strategic Program Office - Agriculture

REGIONAL ADMINISTRATOR'S PENDING ACTION ITEMS

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>

OTHER ITEMS OF INTEREST

The Environmental Review Team has been trained and is now huddling.

WATER DIVISION

Hot Issues:

Prasinos UIC Class V Draft Permit: The Prasinos draft permit for an experimental technology Class V Underground Injection Control (UIC) well was published for public notice on June 3rd on EPA's website, and in the Norwich Pennysaver, a local publication, on June 9th. The public comment period will end on July 10th. A public hearing may be scheduled following the comment period, based on the nature of the comments. (POC: C. Hillenbrand)

NYCDEP FAD Update: New York City Department of Environmental Protection (NYCDEP) continues to

closely track water revenues and is anticipating potential impacts to the agency budget. NYCDEP is looking carefully at all their Filtration Avoidance Determination (FAD) program spending to ensure that critical projects/programs continue to move ahead. (POC: K. Lynch)

Hurricane Preparedness for the Water Sector: Last week, DWMIB met with EPA Headquarters to discuss the agency's plan to designate mission assignments under the Emergency Support Function (ESF) #3 as a way of better integrating water sector assignments under the National Response Framework. The proposed plan is intended to apply to this hurricane season and allow FEMA to provide the agency direct assignments under ESF #3 instead of ESF #10 when responding to natural disasters that impact the water sector (i.e. water/wastewater utilities). EPA Office of Water (OW) has encouraged the Region to plan for hurricane season with ESF #3 as a focus. EPA Headquarters (HQ) developed a draft memo addressing the proposed change and DWMIB will be providing comment. The intent of the memo is to "striking a balance in the memo between emphasizing the efficiencies associated with standardizing water mission assignments and the recognized need for regional flexibility in conducting response missions". The Branch is well into the review process and will provide all comments to EPA HQ before the end of this week. Once all comments are received in HQ, the memo will be finalized and sent out by EPA, United States Army Corps of Engineers (USACE), and FEMA to the agencies' perspective regional/district units. We will follow up with the Water Team and identify impacts of the proposed approach to the normal operations for the team in an emergency situation. (POC: C. Ash)

Upcoming:

Past Week:

WD and CEPD Wetlands Enforcement Coordination: On June 3, the Wetlands Protection Section and WD management met with Carmen Guerrero of CEPD to discuss wetlands enforcement in the Caribbean. The discussion included CEPD input on next steps in ongoing investigations, initiation of new investigations of unauthorized discharges of fill materials, coordination with management on settlement negotiations, and plans for an interagency meeting regarding wetlands protection in Puerto Rico. The meeting provided clarity on a variety of topics moving forward and will aid in the overall efficiency of wetlands enforcement in the Caribbean. (POC: M. Finocchiaro)

CWA Section 319 Nonpoint Source Management – USDA's National Water Quality Initiative (NWQI):

EPA Region 2 is collaborating with USDA - National Resource Conservation Service's (NRCS) Caribbean Area Director, Mr. Luis Arroyo, and Angel Melendez of PR DNER, to help select three watersheds that will qualify to participate in the NRCS's National Water Quality Initiative. As per NRCS's FY 2020 NWQI directive, failure to select three watersheds before the July 3, 2020 deadline will result in a 3% cut to a state/territories' USDA NRCS Environmental Quality Incentive Program (EQIP) allocation. On June 5, Angel Melendez indicated that he will send PR DNER's preferred list of potential NWQI watersheds from its list of priority nonpoint source impaired waters. The EPA has requested NRCS's choices as well and will discuss both lists on the Skype meeting on June 10. (POC's: M. Flood and D. Somboonlakana)

New York State Water Quality Standards (NYSWQS): On June 3, 2020, the EPA approved the New York State Department of Environmental Conservation (NYSDEC) Rulemaking to amend 6 NYCRR Parts 700, 703 and 890 (Beach Act Standards and Reclassification Rule). This rulemaking includes new standards for all coastal recreation waters to meet the requirements of the federal Beaches Environmental Assessment and Coastal Health (BEACH) Act of 2000 and reclassifies waters in the Upper New York Bay and a portion of Lower New York Bay to primary contact recreation. In a May 20, 2020 letter, the NYSDEC stated that, "[t]he revisions to Section 703.4 did not make changes to the best use of primary

contact recreation for those certain waters. NYSDEC continues to apply the standards in Section 703.4 to protect the best use of primary contact, consistent with past practices.” (POC: B. Gaylord)

New Jersey Surface Water Quality Standards (NJSWQS): On June 4, 2020 the NJDEP submitted amendments that upgrade the antidegradation designation of 600 river miles to Category One (C1), which requirements no measurable change in water quality. The C1 designation is based on exceptional ecological significance and exceptional fisheries resources as a result of subsequent reevaluation of the waterbodies using the most recent publicly available data. Additionally, the NJDEP adopted amendments to include minor changes to the definition of exceptional ecological significance at N.J.A.C. 7:9B-1.4 and amendments to stream classification changes based on trout sampling data at N.J.A.C. 7:9B-1.15. Additional information on the rule amendments can be found at: <https://www.nj.gov/dep/wms/bears/swqs.htm> (POC: B. Gaylord)

Update on NJ CSO LTCPs: On June 1, 2020 the NJDEP received two final CSO LTCPs from the North Hudson Sewerage Authority for the combined sewerage areas from its’ two wastewater treatment plants: River Road and Adam’s Street. The final LTCPs were submitted even though the NJDEP granted a stay of the requirement to submit the final LTCP from June 1, 2020 until October 1, 2020. No other LTCPs have been submitted. The NJDEP provided the CWRB with a copy of the River Road LTCP and a call is being scheduled to help coordinate and assist the NJDEP in the review of the LTCP. (POC: S. Stephansen)

Update on NYCDEP’s Open Waters LTCP: Last week the NYSDEC informed the EPA that NYC did not submit the City-Wide LTCP by May 30, 2020 but instead had requested an additional 4-month extension for submitting the plan due to the impacts from COVID-19. Previously, the NYSDEC granted a 60-day extension for submittal of the City-Wide LTCP from March 31, 2020 to May 30, 2020 and determined that the COVID-19 is a valid Force Majeure. The NYSDEC is reviewing the latest extension request and is planning to soon have a telecom with the City to discuss the latest request. (POC: S. Stephansen)

New York/New Jersey Harbor Dredging: HARS suitability evaluations are underway for dredged material from three Federal (Kill van Kull, Buttermilk Channel and East River) and one private (Con Edison-59th Street) projects. The projects are in various stages of the evaluation process. Although LSASD has required reanalysis for certain samples supporting the Buttermilk Channel project due to QA/QC concerns, we do not foresee any significant issues with any of the projects. (POC: M. Reiss)

Other Items of Special Interest:

Long Island Sound Futures Fund: Applicants submitted 94 proposals to the 2020 LIS Futures Fund, requesting \$9.1 million in funds with \$11.5 million in matching funds. The Futures Fund provides financial assistance to communities in implementing actions in support of the Long Island Sound Comprehensive Conservation and Management Plan. The National Fish and Wildlife Foundation (NFWF) is now reviewing proposals for completeness and eligibility.

An official package of proposals will then be distributed to the review team for evaluation. The review team will meet on August 6 to recommend to NFWF a slate of proposals for funding. EPA is providing more than \$3 million to the NFWF in a cooperative agreement to support this year’s Futures Fund competition. (POC: M. Tedesco)

Call to Action for Supportive Comments on WaterSense Products extended to July 24: On April 10, 2020, EPA issued a notice in the Federal Register announcing steps in the agency’s ongoing process of assessing and improving the WaterSense program. In response to requests from stakeholders, EPA is

extending the deadline for comments related to the notice's request for information on consumer satisfaction with products from June 9 to July 24, 2020. The April notice explained that, after a review of WaterSense specifications directed by the America's Water Infrastructure Act (AWIA) of 2018, the agency will not make updates or changes to five of its product specifications. Additionally, the notice explained that EPA will be engaging with WaterSense stakeholders and the public to gain input on consumer satisfaction with WaterSense labeled products. This effort will help ensure that WaterSense labeled products continue to help protect our nation's water supplies while saving consumers money and performing as well as or better than standard models. (POC: J. Whitney)

Strategy to Reduce Health Based Violations: DWGWPS has scheduled meetings with Puerto Rico Department of Health (June 17th), NJDEP (June 11th) and the New York State Department of Health (NYSDOH; June 18th) to discuss our strategy to reduce health-based violations. We will be working with each state on how we can coordinate efforts, including for example, providing training. DWGWPS has also prepared status reports of drinking water data, summarizing the health-based violations for each state. (POC: D. D'Agostino)

ELMS Update: The UIC Team kicked off its ELMS deployment process this week. (POC: K. Lynch)

Regional Administrator's Pending Action Items:

Subject	Date Sent to RA's Office	Required By/ Due Date	Comments
Lake Ontario Lakewide Action and Management Plan (LAMP) Review	February 25, 2020	March 17, 2020	RA input sought prior to U.S. concurrence on public release of the LAMP on www.binational.net
Draft letter response to Lisa Jaeger, the Chairperson for the Windham Chamber of Commerce	April 3, 2020	NA	

Enforcement Report

Region 2 has no items this week for the OECA Weekly Activity Report.